

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: UTILICORP UNITED INC.	DOCKET NO. WRU-99-47-225
-------------------------------------	--------------------------

ORDER REQUIRING REPORT

(Issued December 16, 1999)

On October 27, 1999, UtiliCorp United Inc. (UtiliCorp) filed with the Utilities Board (Board) an application for waiver of IOWA CODE §§ 476.76 and 476.77 (1999) and IOWA ADMIN. CODE 199-chapter 32 (1999), the reorganization statutes and rules. UtiliCorp plans to merge Empire District Electric Company, an electric utility with 143,000 customers doing business in Missouri, Kansas, Arkansas, and Oklahoma, with and into UtiliCorp. UtiliCorp will be the surviving corporation.

The Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a conditional objection and response on November 1, 1999. Consumer Advocate said it needed to conduct discovery to ascertain whether the application for waiver should be granted. Consumer Advocate asked the Board to hold this matter in abeyance until discovery is completed. Consumer Advocate will not be able to complete its discovery until UtiliCorp files for regulatory approval in Missouri.

The Board issued an order on November 19, 1999, stating it would not act on the waiver request until discovery is complete. The order also required the parties to

file a joint status report on or before December 15, 1999. The parties filed the report on December 13, 1999. The parties said UtiliCorp would not file for Missouri approval until sometime in December or early next year. UtiliCorp will provide the Board and Consumer Advocate copies of the filing.

Because discovery is not complete, the Board will not act on the waiver request at this time. In addition, if Consumer Advocate has not notified the Board of its position in this proceeding by February 15, 2000, the parties will be required on or before that date to file a joint report detailing the status of the Missouri filing and Consumer Advocate's review thereof.

IT IS THEREFORE ORDERED:

If Consumer Advocate has not notified the Board of its position in this proceeding by February 15, 2000, UtiliCorp and Consumer Advocate shall file on or before that date a joint report detailing the status of the Missouri filing and Consumer Advocate's review thereof.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 16th day of December, 1999.